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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,574	04/14/2004	Shikio Yoshida	2936-0216PUS1	4815
2292	7590	01/17/2007	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			LU, ZHIYU	
PO BOX 747			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22040-0747			2618	
SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE		DELIVERY MODE	
3 MONTHS	01/17/2007		ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/17/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/823,574	YOSHIDA ET AL.	
	Examiner Zhiyu Lu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 24 November 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-11 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) Notice of Informal Patent Application  
6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities:

In line 2 of claim 1, replace “it” with --its-- to correct typo.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Misawa (US2002/0196599).

Regarding claim 1, Misawa anticipate a wireless transmission/reception card comprising:  
a pole-shaped antenna having a longitudinal axis along its length (25 of Fig. 3);

a transmitter/receiver that is connected to the pole-shaped antenna, wherein said wireless transmission/reception card has a main face that is the surface of the card with the largest area (24 of Fig. 3), and

wherein the longitudinal axis of the pole-shaped antenna is substantially parallel to the main face of the wireless transmission/reception card in an operating state (24-25 of Fig. 3).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Honore (US Patent#5551065).

Regarding claim 2, Honore anticipates a wireless transmission/reception card supporting apparatus comprising:

a mount (inherent) on which a wireless transmission/reception card is mounted (210 of Fig. 1b),

said wireless transmission/reception card comprises a pole-shaped antenna (215 of Fig. 1b) having a longitudinal axis along its length, a main face that is the surface of the card with the largest area, and a transmitter/receiver that is connected to the pole-shaped antenna, wherein the longitudinal axis of the pole-shaped antenna is substantially parallel to the main face of the wireless transmission/reception card in a normal use state (210 of Fig. 1b), and

wherein, when the wireless transmission/reception card is mounted on the mount, the pole-shaped antenna of the wireless transmission/reception card is set upright substantially in a vertical direction in the normal use state (Fig. 1b, column 3 line 51 to column 4 line 44).

Regarding claim 9, Honore anticipates a wireless network terminal comprising:

a wireless transmission/reception card (210 of Fig. 1b);

a headset (205 of Fig. 1b); and

an electric appliance (105 of Fig. 1a),

said wireless transmission/reception card comprises a pole-shaped antenna (215 of Fig. 1b) having a longitudinal axis along its length, a main face that is the surface of the card with the largest area, and a transmitter/receiver that is connected to the pole-shaped antenna, wherein the longitudinal axis of the pole-shaped antenna is substantially parallel to the main face of the wireless transmission/reception card in a normal use state (Figs. 1a-1b), and

said headset includes a mount on which the wireless transmission/reception card is mounted (inherent), the pole-shaped antenna of the wireless transmission/reception card being set upright substantially in a vertical direction in the normal use state when the wireless transmission/reception card is mounted on the mount (Fig. 1b, column 3 line 51 to column 4 line 44),

wherein the headset and the electric appliance have communication interface compatible with each other (300 of Figs. 1a-1b).

Regarding claim 3, Honore anticipates the limitation of claim 2.

Honore also anticipates wherein the wireless transmission/reception card supporting apparatus is a headset (205 of Fig. 1b).

Regarding claim 6, Honore anticipates the limitation of claim 2.

Honore also anticipates wherein the wireless transmission/reception card supporting apparatus is an electric appliance (headset, Fig. 1b).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honore (US Patent#5551065) in view of Maki (US Patent#5884199).

Regarding claims 5, 8 and 11, Honore teaches the limitations of claims 3, 6 and 9.

Honore also teaches wherein said headset includes a pair of earpieces (220 of Fig. 1b), a bridge that couples together the earpieces in such a way as to bridge over a head of a user in the normal use state (240 of Fig. 1b).

But, Honore does not expressly disclose a patch antenna arranged in the bridge.

Maki teaches a patch antenna arranged in the bridge of a wireless headset (3 of Fig. 2, column 3 lines 28-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate patch antenna on the bridge of wireless headset taught by Maki into the wireless headset of Honore, in order to achieve line of sight communication efficiency.

6. Claims 4, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honore (US Patent#5551065) in view of Rydbeck (US Patent#5590416).

Regarding claims 4, 7 and 10, Honore teaches the limitations of claims 3, 6 and 9.

But, Honore does not expressly disclose the mount is rotatable.

Rydbeck teaches a rotatable mount for an antenna (column 2 lines 28-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mount of the receiver unit of Honore into rotatable taught by Rydbeck, in order to provide mechanical adjustment to achieve effective signal reception.

### *Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vuong Quochien can be reached on (571) 272-7902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu  
January 4, 2007

*Zhiyu Lu*  
1-04-07  
LANA LE  
PRIMARY EXAMINER